

# **Update of Activities at the Conrail Railyard Site from the TAG's Technical Advisor**

**Conrail/County Rd. 1, Superfund Site  
Elkhart, Indiana  
NPL Listing: August 30, 1990**

## **Site Description**

The Conrail Rail (Elkhart) began operations in 1956 as part of the New York Central Railroad and continued operations as a subsidiary of the Penn Central Transportation Company until 1976. From 1962 to 1968, numerous citizen complaints regarding oil discharges from the rail yard to the nearby St. Joseph River were filed with State and local authorities. In 1976, Conrail took over the rail yard's functions. From 1976 to 1986, the rail yard experienced spills and releases of oil, diesel fuel, hydrochloric acid, caustic soda, and various petroleum-related substances. Track-cleaning fluids and engine degreasers were also used and disposed of at the site. The site contains several ponds used to stabilize waste and separate oils, and a disposal area, now covered, where rail yard wastes were discarded. In 1986, the EPA discovered volatile organic compounds (VOCs) in the groundwater near the site. The entire population obtains its drinking water from groundwater. The Elkhart Water Works serves the approximately 41,000 persons living northeast of the site in the city of Elkhart. The remaining population obtains drinking water from private residential wells, including people living immediately north and west of the site, many of whom have contaminated wells.

## **John Wallace Technical Assistant**

I have been the technical assistant (TA) to the Citizens League for Environmental Action Now (CLEAN) since the fall 1993, at the Conrail Yard Superfund Site in Elkhart, Indiana. Originally my point of view was from that of an environmental consultant. I had worked for a consulting firm for a number of years. And then in 1990, I started a home office and was busy acquiring clients from the local industrial population in the area, when a friend and business associate, who had been instrumental in the CLEAN organization, asked me to bid for the TA position.

At the time I had been selected, I really had no idea what I was in for. Even though I had clients involved in Superfund sites, they were usually Potential Responsible Parties (PRP's), never the actual citizens living in a Superfund Site. It is definitely a change in perspective. The PRP's that I had worked for in the past were usually de minimus at best, and on occasion had found myself arguing how unjust all these Superfund laws had been for the "small business guy."

I am sure there are differences in every site. One of the striking differences in the Conrail Site from others that I had been involved in, is there is but one PRP, the railroad company. Well actually two, Conrail and Penn Central. However, who was going to pay for remedial activities, investigations and so on was never really a problem. After all, the "pocket" or should I say "deep

pocket" was the railroad. Conrail and American Premier Underwriters (formerly Penn Central) could argue that amongst themselves as to level of contribution to the contamination at the site.

Before I became TA for CLEAN, the cause and action mode was in place as a result of the EPA's original investigation and legal actions. Due to the fact that groundwater and soil at the site contained elevated levels of VOC's, mostly Trichloroethylene (TCE) and Carbon Tetrachloride, the EPA sampled 88 residential wells and detected various VOCs, in quantities well above drinking water standards. The EPA provided bottled water to residents with affected wells, while installing 76 activated carbon filter units in residences.

At this point it had been believed that residents and workers in 505 homes and businesses had been exposed or potentially exposed to contaminated groundwater through their private drinking water wells. This was determined due to a groundwater-monitoring program started by EPA contractors and expanded on by Conrail Contractors. Additionally, a groundwater model performed by Conrail consultants was used to delineate two plume areas originating from the site. As a form of additional immediate relief, the Indiana Department of Environmental Management continued in the management and installation of filter systems in homes with confirmed VOC contamination, along with a comprehensive home well sampling program of homes, in the area. The sampling program and the design process for the construction of the public water main and supply was included in the Record of Decision and the EPA approved Work Plan.

This is where the actual work for the citizens group and myself would begin. Upon close evaluation of the work in process, it was discovered that a number of homes and streets indicated on the maps used by Conrail contractors had been labeled incorrectly. From a study completed by our hydrogeologist of the model, it was also discovered that the model was severely constrained and therefore inaccurate. These findings led CLEAN to contend that not only 505 wells in the area had potential for contamination, but in fact over 1100 homes and businesses in the area could be at risk. The EPA's Project Manager Brad Bradley agreed. The design process for interim remedy now included all the area homes and businesses. However, during the process of negotiations between Conrail and the EPA, the EPA had conceded the design portion of the groundwater extraction/treatment portion of the interim remedy.

Things seemed to be going smoothly. Area meetings were held at the Harley Hoben Elementary School, which was also within the Superfund Site. Attendance at times even spilled into the bleachers. Residents were concerned. The meetings had been organized by CLEAN and the EPA, with representatives from Conrail and their contractors in attendance or even as guest speakers. The focus of most meetings was access to private water wells by contractors and county health officials so they could be closed and water lines could be brought in for service. A large percentage of area residents had signed access agreements with Conrail and things were looking good.

Then came the money issue. EPA Counsel had started the recovery cost issue. The PRP's were now going to argue the necessity for hooking up of a subdivision called River Shores which was located on the shoreline of the St. Joseph River. Something was terribly wrong. Conrail contractors had staged water pipe in the area, residents had signed access agreements, but work

had stopped. Conrail's Contractors had stated to us that if work was not resumed soon, they were going to move to another project. Finally an agreement was made in the recovery cost proceedings. The EPA had agreed to allow Conrail to argue either the necessity of remaining hook-ups to public water or the necessity of the groundwater extraction/treatment. Conrail chose to hook-up the remaining residences. The groundwater clean-up process will be decided upon during the final remedy, and continuing investigations.

Now we are in the final remedy. A Consent Decree, followed by a work plan from PRP Contractors, has set the stage for the work that needs to be completed. Studies are underway to determine just what method may be used to restore or attenuate our environment. These studies include additional monitoring wells, soil gas surveys from the rail yard and other potential sites, benthic macroinvertebrate samples, water and sediment samples of the interface between groundwater and St. Joseph River. CLEAN was not in favor of discontinuing the extraction/treatment process, nor were they happy to hear the word attenuate. CLEAN, however, did believe that the studies to be performed would help determine the proper remedy.

Because of CLEAN and their concern for the area, we insisted that vapor samples be collected at residences. Again the EPA agreed with us, and again our concerns were well placed. Sample results seem to indicate potential exposure to vapors. Now Conrail will have to address a new threat to human health.

In closing, I would like to acknowledge that all parties are working together. Certain parties may have been a little tentative at first. Certainly in the beginning, I had been left out of a number of meetings and even access to investigation sites was denied. Now it appears that there is an open willingness to share information. Everyone would like to see the environment restored to its original pristine condition. CLEAN would like this to happen, as soon as possible, but through the TAG program they have begun to realize that the technology may not exist that will allow for that. The PRPs seem to appreciate CLEAN's ability to organize and communicate to the residents just what is going on, and organize access to their property. The EPA has told us on a number of occasions that our assistance in getting most everyone in the area on municipal water supply has made this site a major success story.